

Todd Bofferding, OSB #883720
Attorney at Law
P.O. Box 539
1215 B St.
Hood River, OR 97031
541.490.9012
tbofferding@gorge.net

Attorney for Defendant Raul Arcila

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA,)	
)	3:14-CR-00267-BR-3
Plaintiff,)	
)	DEFENSE COUNSEL'S
vs.)	DECLARATION IN SUPPORT OF
)	DEFENDANT'S UNOPPOSED
RAUL ARCILA,)	MOTION TO CONTINUE TRIAL
)	DATE
Defendant.)	
State of Oregon)	
) ss	
County of Hood River)		

I, Todd Bofferding, appointed counsel for Defendant Raul Arcila hereby makes this Declaration that the following is true to the best of Counsel's knowledge, and made under the penalty of perjury:

This Declaration is in support of Defendant's Unopposed Motion to Continue Trial Date which is filed simultaneously herewith.

The Defendant is in custody in Washington County, Oregon serving a sentence for

Driving Under the Influence of Intoxicants. Upon completion of that sentence, he will be transported to Clackamas County, Oregon to address a Probation Violation. This is Defendant's second request to continue the trial date. Defendant was Arraigned on the Indictment in this case on July 1, 2014.

Defendant requests the trial date be continued from January 20, 2015 to a date at no sooner than March 17, 2015.

Defendant and five co-defendants are charged in this Court with Conspiracy to Distribute more than 1000 grams of Heroin, the use of which resulted in death in violation of 21 USC 841(a)(1),(b)(1)(A)(i),(b)(1)(C), and 846. According to the discovery provided Counsel to date, in 2014, a male heroin user in Oregon purchased and consumed heroin, which resulted in his overdose and death. Subsequent investigation by the Government discovered the alleged source of this heroin, and traced the heroin back to Defendant as a supplier. If convicted at trial, Defendant would be facing a mandatory minimum prison sentence of 20 years.

The discovery in this case comprises 7078 pages. Due to the size of the discovery, and the number of co-defendants, Counsel believes that this case should be declared to be complex.

In order to prepare for trial, Counsel will need more time to review the discovery, and to investigate defenses and witnesses, as well as other issues as they arise.

Counsel understands that Assistant United States Attorney Leah K. Bolstad and the counsels for the co-defendants do not object to the requested trial continuance.

Counsel has spoken with Defendant, and he understands his rights provided by

the Speedy Trial Act, and he agrees to waive those rights by the continuance motion, and agrees that the above mentioned continuance, if granted, would constitute excludable delay.

The period of delay resulting from the granting of this continuance motion will be excludable, pursuant to 18 U.S.C. 3161(h)(7)(A), (B)(iv) because the ends of justice will be better served by the granting of the continuance, and a continuance will outweigh the best interests of the public and Defendant in a speedier trial.

RESPECTFULLY SUBMITTED this 9th day of January, 2015.

/s/ Todd Bofferding

Todd Bofferding, OSB #883720
Attorney for Defendant Arcila